

4 October 1831.

(Ireland.)

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B I L L

[AS AMENDED BY THE COMMITTEE]

To regulate the Office for registering Deeds,
Conveyances and Wills, in *Ireland*.

[N. B.—The Clauses marked (A.) to (D.) and the Schedule (C.) were
added by the Committee.]

WH HEREBY by an Act of Parliament made in *Ireland* in the sixth year of the reign of Queen ANNEX, intituled, "An Act for the public Registering of all Deeds, Conveyances, and Wills, that shall be made of any Honors, Manors, Lands, Tenements or Hereditaments," a Public Register Office was established in the City of *Dublin*; and by other Acts of Parliament made in *Ireland*, and by certain Acts of Parliament of the United Kingdom, various provisions have from time to time been made in respect of such Register Office, and particularly by an Act of the ninth year of the reign of his late Majesty King GEORGE the Fourth, intituled, "An Act to provide for the Regulation of the Public Office for registering Memorials of Deeds, Conveyances, and Wills, in *Ireland*:"

Preamble:
17. 6 Anne,
c. 2.

9 Geo. 4.
c. 37.

AND whereas Lord Viscount *Kilwarden*, who at the time of passing the said last mentioned Act was, by patent, Registrar of the said Office, has since died, and thereupon *George Moore*, esquire, one of His Majesty's Counsel in *Ireland*, who had for many years been Deputy Registrar, was, by the Commissioners of His Majesty's Treasury, under the authority of the said last mentioned Act, on or about the twenty-seventh day of July in the year One thousand eight hundred and Thirty, appointed Registrar of the said Office, and he now is Registrar of the same; and certain other Appointments in the said Office were then also made:

296.

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AND

AND whereas Doubts have arisen as to the construction of certain of the Provisions made by the said Acts in respect to the said Register Office; and some of the Provisions of the said Act of the ninth year of his late Majesty King GEORGE the Fourth have been found inconvenient, and others to occasion an unreasonable expense to Parties resorting for information to the said Register Office, and the remaining provisions to require alterations and amendments to be made therein; FOR Remedy whereof it is requisite that the said Act should be repealed, but without invalidating the aforesaid Appointments, and also that further Provisions should be made for the future regulation of the said Register Office; ~~BE it therefore Enacted~~, by The KING's most Excellent MAJESTY, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, THAT the said recited Act of the ninth year of the reign of his late Majesty King GEORGE the Fourth shall be, from the Thirty-first day of December One thousand eight hundred and Thirty-one, and the same is hereby from that day, Repealed; and also, that three several Treasury Minutes founded upon the said Act, and dated respectively, two of them the Twenty-seventh day of July, and the other the Seventeenth day of December, in the year One thousand eight hundred and Thirty, and which Minutes were all of them laid before Parliament on the Twenty-third day of the said month of December, be Rescinded: Provided always, That no Appointment so made under the said Act as aforesaid shall by such repeal be vacated or rendered invalid, but every such Appointment shall be and continue a good and valid Appointment, subject however to the provisions of this Act.

Act 9 Geo. 4.
repealed;

and Treasury
Minutes
rescinded.

Appointments
under the said
Act not to be
vacated by the
repeal thereof.

Register Of-
fice to consist
of certain
Officers.

For filling up
Vacancies in
the said Office.

And be it further Enacted, That the Establishment of the said Register Office shall consist of a Registrar, two Assistant Registrars; a First Clerk, and two other Clerks, and of such a number of supernumerary clerks and other persons as the service of the Office shall require; and that hereafter upon the happening of any Vacancy, such Registrar and Assistant Registrars, and also the said First Clerk and two other Clerks, shall be appointed by the Lord High Treasurer, or Commissioners of His Majesty's Treasury, or any three or more of them; and that the said Registrar and Assistant Registrars shall, previously to their respective appointments, each enter into a Recognizance in the manner prescribed by the said Act of the Sixth year of the reign of her Majesty Queen ANNE, jointly with one or two Sureties; and such Recognizance in respect of the Registrar shall be in the sum of Ten thousand Pounds, conditioned for the true and faithful execution of the duties of his office, and with regard to each of the Assistant Registrars in Two thousand Pounds, with a like condition; and such Recognizances shall be in place and instead of the Recognizance heretofore required by that Act.

And

And be it further Enacted, That the following Persons, who have for many years past discharged duties in the said Register Office, shall be and the same are hereby appointed to the several Situations following, and with the yearly Salaries annexed to their respective names; (that is to say) the said *George Moore*, Registrar, Twelve hundred Pounds; *Oliver Moore*, First Assistant Registrar, Seven hundred Pounds; *Francis Armstrong*, Second Assistant Registrar, Four hundred and fifty Pounds; *John Chapman*, First Clerk, Two hundred and fifty Pounds; *William Butler*, Clerk, Two hundred and fifty Pounds; and *William Davis*, Clerk, One hundred Pounds.

Certain Persons who have for years discharged the duties of the Office, to be appointed under this Act.

AND whereas it is right that the Direction of the said Register Office should be confided to the Registrar; BE it therefore Enacted, That the Direction, Management and Superintendence of all departments in the Office shall devolve as his duty upon the said Registrar, and that he shall authorize the Assistant Registrars respectively to do all official acts necessary in the execution of the duties of the office; which power shall continue after a vacancy shall happen in the office of Registrar, until the said office shall be again filled up in as full and ample a manner as if such vacancy had not occurred; and that the said Registrar shall at his pleasure remove any or either of the Three Clerks on the establishment, and also that he shall retain and employ such a number of supernumerary Clerks and other persons as from time to time may be necessary for the due and punctual discharge of the duties of the said Office, and pay them weekly, according to the work done by them respectively, and also make to any of such supernumerary Clerks and other persons, such further occasional or temporary Allowances in money as heretofore it has been customary to make in the said Office; and the said Assistant Registrars, and all the Clerks and other persons employed, shall obey the orders and directions of the Registrar, as well with respect to attendance as to the duties which they respectively may be required to perform; and all Persons employed in the said Register Office shall perform the duties of their respective offices in person; and the present Registrar shall not absent himself from the said Office for any period exceeding Thirty days without permission in writing from the Lord Chancellor or Master of the Rolls of *Ireland*; and any future Registrar shall not at all absent himself without such permission; and the Assistant Registrars shall not be absent therefrom without permission of the Registrar.

Registrar to have the Direction of the Office.

AND whereas it is proper that Accounts should be kept of all sums of Money received and paid in the said Office, and that the same should be produced and be duly rendered; BE it therefore Enacted, That from and after the Thirty-first day of December next ensuing the passing of this Act, there shall be kept in the said Registry Office a book or books, wherein all Fees and sums of Money whatsoever, which shall be received in the said Office, shall from time to time be truly entered as and when

Accounts to be kept of Money received for Fees.

when the same shall be received, which book or books shall be produced by the Registrar or by some Person on the Establishment of the office, whenever the same shall be required by any Person interested in demanding such production, or by any order of any of His Majesty's Courts, or any Judge of either of such Courts, or of the Lord High Treasurer or Commissioners of His Majesty's Treasury; and the Entries therein, or any particular Entry, shall if required be verified upon oath; and also that the said Registrar shall keep a regular Account of all sums of Money disbursed in payment of the Salaries by this Act authorized to be paid, and of all other the necessary Expenses and Payments whatsoever incident to the execution of the said office, which Accounts shall be made up every Three calendar Months, and be signed by the said Registrar and by one or both of the Assistant Registrars; and moreover the said Registrar shall, within Thirty Days next after the expiration of every quarter of a year, render true copies of such Accounts to the Vice Treasurer of *Ireland*, and shall at the same time pay into the Bank of *Ireland*, to the credit of the Consolidated Fund, the Balance upon or difference between such Accounts then remaining in the hands of the said Registrar; subject however to the direction, in respect of the application of such balance or surplus, hereinafter contained.

No Fees but what are specified in Schedule (A.) to be paid.

And be it further Enacted, That from and after the said Thirty-first day of December One thousand eight hundred and Thirty-one, there shall be paid and payable in the said Office the several Fees only which are specified in the Schedule marked (A.) to this Act annexed, and no other Fee or Fees whatsoever; and if any Person on the Establishment of the said Office or employed in the said Office, shall demand or receive or cause to be demanded or received any greater or other Fees, and the same shall be proved against him, he shall forthwith be discharged from his place or employment in the said Office: Provided always, That it shall be lawful for the Registrar of the said Office to require, in all cases where he shall think it proper so to do, that the said Fees or any of them or any part thereof shall be paid or deposited in advance, together with the amount of the Stamps when stamps shall be required to be used.

Regulating Hours of business in the said Office.

And be it further Enacted, That after the said Thirty-first day of December One thousand eight hundred and Thirty-one, the said Register Office shall be kept open for business from the hour of Ten in the forenoon until the hour of Four in the afternoon of every day in the year, except only Sundays, Christmas Day and Good Friday, and days of Public Fast or Thanksgiving.

Power to search Books and Indexes, and to take Notes thereof, upon paying daily Fee.

And be it further Enacted, That during the said hours for business, all Persons interested in making searches in the said Register Office shall have full liberty to search and examine the Index, Abstract and Transcript

Transcript-Books thereof, and to take abstracts or other short notes of any of the matters in such books; and also to inspect, in the presence of some Person belonging to the said Office, any original Memorial to which reference shall be obtained in such searches, upon every such Person paying daily the Fee for searching in the said Office, and also where he shall take abstracts or other short notes, the daily Fee for that purpose, and also where such inspection shall be had, the inspecting Fee by this Act appointed, and no more.

AND whereas heretofore a description of Search was made in the said Register Office, called a Head Clerk's or Common Search, and it is desirable that this form of searching should be revived; BE it therefore Enacted, That upon the request in writing, of any Person desirous of the same, being left in the said Register Office, a Head Clerk's or Common Search shall be made, and a copy of the Abstract of every Memorial found to come within the terms of the said request shall be transcribed upon paper, and shall be signed by one of the Clerks upon the establishment of the said Office with his Name, and also by one of the Assistant Registrars with the Initial Letters of his Name, and with all convenient expedition the same shall be delivered to the Party making the request: Provided always, That it shall be lawful for the Person making such request, to except thereout any and every Instrument, of which he shall specify the date, description of instrument, and parties' names, in a list at the foot of such request.

Head Clerk's
or Common
Search re-
vived.

AND whereas much Inconvenience has arisen from the want of a more complete, certain and exact method of keeping the Indexes, than has been followed in the Indexes of Names and Lands which hitherto have been kept in the said Office; BE it therefore Enacted, That the Form and Manner of keeping such Indexes now in use shall be continued to be followed only up to and including the said Thirty-first day of December, to which time the Entries and Registry of all Memorials then already brought into the Office shall be completed as soon after that day as may be; and all Books theretofore at any time used or kept in the said Registry Office, containing Transcripts of Memorials, Abstracts of the Contents of Memorials, or Indexes to Memorials, registered in the said Office, shall be Public Property, and be preserved in the said Office, and not be removed therefrom.

Present Form
of keeping
Indexes to
come on the
31st of De-
cember next.

AND whereas it is desirable that a different system of making and keeping Indexes to the Memorials should henceforth be adopted and followed, and in order thereto, that instead of continuing to number the Memorials in one continued series from the establishing of the said Register Office, a different mode should be introduced; BE it therefore further Enacted, That from and after the said Thirty-first day of December, all the Memorials that shall be registered in the

CLAUSE (A)
Numbering
Memorials.

said Office shall be numbered in different series, of not more than Three hundred Memorials in any one series.

Manner
of keeping
Indexes.

And be it further Enacted, That from and after the said Thirty-first day of December, there shall be kept in the said Office a book, to be called the " Day Book," in which book the first Entry of every Memorial received into the said Office shall be made, and in the same order in which the Memorial shall be received in the Office, and such Entries shall be in the form or to the effect of the Model of such a book set forth in the Schedule marked (B.) to this Act annexed; and moreover that as soon as One hundred Memorials shall have been received, that number of Memorials shall be put up into a bundle by themselves, and be set apart; and as soon as another One hundred Memorials shall be received, it shall in like manner form a second bundle, and such second bundle shall be put with the first bundle; and this arrangement shall be continued until the number of Memorials received shall amount to Three bundles of One hundred each, which Three bundles shall afterwards be made up into One file, on which file there shall be indorsed in very legible characters, the Year in which the Memorials therein contained were received, and also the Number of the Volume in which the Transcripts of the same Memorials shall be entered; and the files of all the Memorials received in each year shall be deposited and kept in a separate press, on which press the Year shall be distinctly marked; and further, that the Number of every such first Entry shall be the Number of the Memorial, and such Number shall also forthwith be marked upon the Memorial itself, and shall ever after remain the Number of that Memorial, in association with the Year and the Volume in which the Memorial shall be transcribed; and further, that so soon as one series of Three hundred Memorials shall have been received, another Series, to consist of a like number, shall be begun, and so on in all time to come, except the last series of each year, which shall terminate with whatever Number the last Memorial received on the last office day in the year may bear; and the first Memorial received in every new year shall be marked and entered as Number One of the first series of Memorials which shall be received in that year.

A Book called
the " Abstract
Book," to be
kept.

And be it further Enacted, That as soon as the first bundle of One hundred Memorials shall have been set aside, there shall forthwith be made and entered into a parchment book, to be called the " Abstract Book," an Abstract or short statement of the effect of the Instrument set forth in every Memorial in such bundle; which Abstract shall contain the Year and Day of Registering, the Volume and Number of the Memorial, the Name of the Instrument, the Date of the Instrument, the Names and Descriptions of all the Grantors and of one or more of the Grantees, the Consideration, the Rent, the Renewal Fines, the Name and Description of the Premises, and the County, and Barony, and Parish

Parish wherein the Premises are situated, the Nature of the Instrument, and whether a Trust or other lesser than an absolute Estate or Interest be created, or such and so many of the foregoing particulars as are contained in the Memorial of such Instrument; and the Abstract shall be entered in the Abstract Book in the form or to the effect of the Model contained in the Schedule distinguished by the letter (C.) to this Act annexed; and the said Abstracts shall be entered into the said Abstract Book in the same order that the first entries relating to the Memorials in that same bundle were entered in the Day-book, and each Abstract shall have prefixed to it the very same Number as the Memorial, and as the Day-book entry of the Registration of the Memorial of which it is an Abstract shall have had put upon them; and in like manner Abstracts of the Memorials in the second bundle, and also in every succeeding bundle, shall be prepared and be consecutively entered in the said Abstract Book.

And be it further Enacted, That as soon as the said Abstracts shall have been made, the One hundred Memorials in the first bundle shall forthwith be faithfully and legibly transcribed upon parchment in the same order in which the Memorials shall have been numbered in the Day-book; and the next One hundred Memorials shall in like manner be transcribed, and so continually the Transcripts shall be made until the whole of the Memorials in every other bundle shall have been transcribed; and in the margin of every Transcript there shall be inserted a memorandum of the Hour and Day on which the Memorial of which it is a copy was registered, and also the Number of the Memorial; and the Transcripts of every Three hundred Memorials shall be bound together and form one Volume, with the exception of any number less than Three hundred at the end of the year, which shall make the last Volume of that year; and on every Volume of Transcripts there shall be indorsed the Year in which the Memorials transcribed into it were received, and also the proper Number of that Volume in the series of volumes of Transcripts in that year; and further, that every Memorial received to be registered in the said Office shall be fully and completely transcribed as aforesaid within the space of Thirty Days next after the day on which the same shall be so received; and if such Transcript be not made within the time aforesaid, the Clerk or other person in the said Office, through whose neglect, default or mismanagement the same shall happen, shall be discharged.

Every One hundred Memorials to be transcribed, and the Day and Hour in which they shall have been registered to be inserted in the margin.

Every Memorial to be transcribed within Thirty Days after received in the Office.

AND whereas a great part of the Benefit which should have resulted from the institution of the said Registry Office has been lost, from the circumstance that no adequate provision was made for the preparation and reduction of well compiled and sufficient alphabetical Indexes of the Persons and Lands affected by the Memorials registered therein;

Alphabetical Indexes of the Persons and Lands affected by the Memorials, to be made.

FOR Remedy whereof, BE it further Enacted, That previously to the
 said Thirty-first day of December there shall be provided in the said Re-
 gister Office a series of parchment Books of sufficient size, and consisting
 each of not less than Six hundred pages ; which series of Books shall be
 called the " Index of Names," and one book of the series shall be
 appropriated to the letter (A.), another book to the letter (B.), and so on
 through the alphabet; provided that any one such book may have a second
 or even a third unfrequently used letter assigned to it at the discretion
 of the Registrar; and upon the pages of every book in such series there
 shall, before the year in which it is to be used begins, be distributed an
 Alphabet with the letters of a second alphabet to each letter, in the
 following manner; (that is to say) the letters A A at the head of a
 page at the beginning of the book; A B at the head of a page next to
 or not more than a few pages subsequent to the page in which the two
 former letters were inserted, and so on throughout a whole alphabet
 preceded by the letter (A.); then B A, and to the end of a second
 alphabet; then C A; and following the like course until every letter of
 the alphabet thus repeated with a consecutive letter of a second alphabet
 shall have been inserted, each as the head of a separate page of the
 book; Provided, That any one or more of such combinations of letters,
 of which no example of a name beginning with such letters had occurred
 in the said Register Office, may, at the discretion of the Registrar, be
 omitted; into which book there shall be daily entered by and under
 the two first letters of the name, the Surname, and, if ennobled, the
 Title of Honour of the Grantor in every Memorial registered in the
 Office after the time of opening the Office in the morning of the cur-
 rent day; and to the said Surname of the Grantor there shall be sub-
 joined the Christian name of such Grantor, and also the Surname and
 the Christian name of the Grantee, followed, where there shall be
 more than one Grantee, by the words "and another," or the words "and
 others," as the case may be; and also the Page and Volume of the
 Abstract Book, with the first denomination of the Lands and the names
 of the County and Barony, or of the City or Town being a County of
 itself, and Parish wherein the Lands affected by the Instrument of which
 the Memorial is registered is situated, and the Year of Registration, with
 the Number of the Volume in which the Transcript is made, and the
 Number of the Memorial; and where there shall be more than one
 Grantor, there shall be subjoined to the name of the first Grantor the
 words "and another," or, as the case may be, the words "and others;"
 and the Name of the second Grantor shall form a second head of Entry
 in the said Index, and be followed by like words; and such last men-
 tioned entry shall be accompanied with the like particulars as last afore-
 said; and where there shall be a third Grantor or any greater number
 of Grantors, then in either of the said cases there shall also be a further
 like Entry under the name of such third and every other Grantor; and
 all

all such Entries shall be made and completed before the time of opening the Office for business on the next morning; and the Series of Books last aforesaid shall be continued Three Years, and the entries in that Series shall then be closed, and a new Series in a new set of Books shall be begun; and this second Series of Books shall be continued Five Years, and the entries in that Series shall then be closed, and a new Series in a new set of Books shall be begun in like manner; (that is to say) the first or triennial Series of current Indexes shall continue to the end of the Thirty-first day of December One thousand eight hundred and Thirty-four, and the second or quinquennial Series shall commence with the First day of January One thousand eight hundred and Thirty-five, and shall end with the Thirty-first day of December One thousand eight hundred and Thirty-nine, and the next quinquennial Series shall begin with the First day of January One thousand eight hundred and Forty, and shall continue to the end of the Thirty-first day of December One thousand eight hundred and Forty-four, and so, in like manner, shall each subsequent Series contain Five Years and no more.

The aforesaid Series of Books to be continued for Three Years, and then a new Series to be begun.

And he it further Enacted, That as soon as the second Series of such Indexes shall be closed, the first and second of such Indexes shall forthwith be consolidated into one Index, in alphabetical order, under one alphabet, and also one or more Duplicates of such Index shall be forthwith made; and as soon as a fourth Series shall be closed, the third and fourth Series shall be consolidated into one decennial Index, and one or more Duplicates be made thereof; and in like manner, in all time to come, every two quinquennial current Indexes shall be reduced into a decennial Index, with one or more Duplicates thereof.

CLAUSE (B.)
And to be reduced into decennial Indexes, with Duplicates.

AND whereas it is material that no Delay or impediment whatsoever that can be avoided, should be suffered by Persons desirous of consulting the aforesaid Index; and at the same time it is very necessary that the Clerks and other Persons employed in the said Office should have time and fair opportunity to write up such Index; both of which objects may in a far greater degree be obtained by having duplicate Copies of such Index made; BE it therefore further Enacted, That from the said Thirty-first day of December One thousand eight hundred and Thirty-one, there shall be in all respects Three at the least Duplicate Copies of the said Index of Names made in the said Office in the following manner: The aforesaid Index of Names and one Duplicate Copy thereof being entered up for one day, the said Index and Duplicate shall be placed out in the Office for the use of all Persons coming to make searches in the following day; and in the course of the said following day the like Entries shall be made in two other Duplicate Copies, together with the accruing Entries of that day, which two Duplicate Copies so written up shall take the place of the said Index and

Duplicate Copies of the Index of Names to be made

first Duplicate on the third day, and during the third day all the Entries which were made in the Duplicate Copies on the second day, shall be entered in the said Index and first Duplicate, together with the accruing Entries of the third day, and such Index and first Duplicate so entered up shall be placed out in the Office for use in the fourth day, and so on from day to day alternately. 5

Index of
Lands to be
provided.

And be it further Enacted, that previously to the said Thirty-first day of December, there shall be provided in the said Office another Series of sufficiently large parchment Books, to be called the " Index of Lands," and one book of such series shall be appropriated to each County, and one to each City being a County of itself; and one Book to every such number of Towns, being Counties of themselves, as heretofore it has been customary to index together, and one Book to every such number of other Towns as heretofore it has been customary to index apart from the Counties in which they are situated; and every book appropriated to a County shall be divided into Baronies; and every book appropriated to a City being a County of itself, or to a number of Towns, shall be divided into Parishes or Streets; and each such book for Counties shall contain separate divisions, under the heads of Baronies, and for Cities or Towns, under the heads of Parishes or Streets, arranged alphabetically, with alphabetical subdivisions for denominations of Lands; into which books there shall be daily entered, by the initial letter of each name, the Names of all Lands, Tenements and Hereditaments specified in every Memorial registered in the Office after the time of opening the Office in the morning of the current day, and to the said name of the Land, Tenement or Hereditament, there shall be subjoined the Name of the Parish or the Place respectively in which the same shall be described to be situated, and also the page of the Day-book and the page of the Abstract-book, and the Year and Volume of Registry, and the Number of the Memorial relating thereto; and all such Entries also shall be made and completed before the time of opening the Office for business on the following morning; and further, that such last-mentioned Series of Books shall, concomitantly with the Index of Names hereinbefore mentioned, be continued Three Years; and the Entries in that Series shall then be closed, and a new Series in a new set of Books shall be begun; and the Series of Books last aforesaid shall terminate at the end of the Fifth Year, and thereupon in like manner a new Series, in a new set of such Books, shall be begun and be continued during another period of Five Years, and a similar arrangement shall be made at the end of every subsequent period of Five Years; and at the end of Eight Years there shall be made a consolidated Index of the two first periods; and subsequently at the end of every second period of Five Years, a like decennial consolidation of such Indexes of Lands, and for the same times as is hereinbefore provided for the Indexes of Names shall be made; and opposite to every such Entry of Lands 10 15 20 25 30 35 40

The Current
Indexes to be
in periods of
Five Years;

and be con-
solidated de-
cennially.

Lands there shall also be entered the Surname and Christian Name of the Grantor, and also the Surname and Christian Name of the Grantee, but where there shall be more than one Grantor the name of the first Grantor only shall be so entered, with the word "another" or "others," and where more than one Grantee, in like manner the Name of the first Grantee only, with the word "other" or "others."

And be it further Enacted, That Three at the least Duplicate Copies of the said Index of Lands shall be prepared, and used in like manner as nearly as may be as the Duplicate Copies of the Index of Names hereinafter mentioned.

Duplicate Copies of the Index of Lands to be prepared.

AND whereas a practice heretofore prevailed, of giving Information privately from the said Office, which ought not to exist; BE it therefore further Enacted, That no Book whatsoever containing Entries or Abstracts of registered Mortgages or Annuity Deeds shall be kept in the said Register Office for the private use or benefit or inspection of any Bankers, Merchants or other Persons, other than the common books of the Office.

No Books containing Entries of Mortgages to be kept in the Office.

AND whereas by the tenth section of the aforesaid Act of the Sixth year of the reign of her Majesty Queen ANNE, provision was made that the Registrar or his Deputy should, as often as required, make Searches concerning all Memorials registered in the said Office, and give Certificates concerning the same; and a Doubt having arisen whether there under the Registrar was obliged to give negative Certificates in cases where the result of the search was, that no Memorial was found to have been registered; it was by the second section of an Act made in the Parliament of Ireland in the Eighth year of the reign of his Majesty King GEORGE the First, enacted, that upon a requisition, called a Note, being left with the Registrar or his Deputy, in the form and manner therein mentioned, the said Registrar should give negative Certificates; which Act was in part repealed, and another form of Note substituted, by an Act made in the Parliament of Ireland, in the Twenty-fifth year of his late Majesty King GEORGE the Third: AND whereas a further Doubt has arisen, whether the Person requiring such a Certificate, may in the said Note exclude by name from the search thereby required to be made, any Instrument of which he is already aware, or any Instrument in respect of which he is in want of no further information, and at the same time retain a right to the Remedy against the Registrar and his Deputy provided by that Act; and it is right that such last-mentioned Doubt should likewise be removed; BE it therefore Enacted, That every Person making such a Requisition as aforesaid, shall, if he shall think proper so to do, insert in the Note by which he shall make the same, which Note shall be written on parchment, an exception of any Instrument or Instruments whatsoever; provided that there shall be subscribed to the said Note the Date, Name, and Parties' Names or Testator's

Ir. 8 Geo. 1. c. 13.

Ir. 25 Geo. 3. c. 47.

Persons making Requisitions may make Exceptions.

Testator's Name, of every Instrument included in the said exception; and upon every Note in which such no exception shall be made, the said Certificate shall, with the exception of the Instrument or Instruments so enumerated, be given in the same manner in every other respect as upon a Note without any exception; and the Registrar and Deputy or Assistant Registrar shall be equally liable in Damages and full Costs for any fraud, collusion or wilful neglect in making out such Certificate, as if no exception had been inserted in the Requisition for the same.

CLAUDE (C.)
Registrar to
make search,
and to deliver
Certificate of
same.

AND whereas the making of searches in the said Register Office, through the Officers of the same, will in some cases be convenient and desirable; BE it therefore further Enacted, That the said Registrar shall, upon request made in writing, cause search to be made for the Memorial of every act done by each Person named in such request, concerning the Lands, Tenements or Hereditaments therein mentioned, within every period specified, or of every act concerning the Lands, Tenements or Hereditaments therein mentioned, within every period specified; and deliver to the Person making the request a Certificate under the hand of such Registrar, or of one of the Assistant Registrars, of the result of such search; in which certificate shall be given a true copy of the Requisition, followed by an accurate extract of every Memorial found; and such Extract shall be made in or after the Tabular Form set forth in respect of the Abstract Book in the Schedule to this Act marked with the letter (C.), and shall contain such and so many of the particulars by that Form provided to be mentioned, as the particular case may supply; and the Certification shall be made in the following words:

Form of Certificate

" Upon diligent search made in the Registry Office in *Dublin*,
 " I certify, That no Memorial coming within the terms of the
 " above Requisition is registered, whereof an Abstract is not
 " herein truly set forth. Dated this _____ day of 30
 " One thousand eight hundred and _____
 " (signed) A. B. Registrar, [or, Assistant Registrar.]"

And moreover, that every such request shall be filed and preserved in the said Office.

Summary mode of hear- ing Com- plaints against Offi- cers

AND whereas it is expedient that a summary mode of hearing any Complaint against any Person in the said Register Office should be provided; BE it therefore Enacted, That upon any Complaint made on oath before any of His Majesty's superior Courts of Law or Equity in Dublin, of any neglect, default or misconduct of the Registrar or any Assistant Registrar, Clerk or other person employed in the said Register Office, it shall be lawful for such Court, or any of the Judges or a Judge thereof, in open Court, to hear and determine such Complaint in a summary manner; and the said Court, Judges or Judge, shall forthwith cause a Copy of the Judgment pronounced upon such Complaint

plaint to be laid before the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, and thereupon it shall be lawful for the said Lord Lieutenant or other Chief Governor or Governors of *Ireland* to order the Person upon the complaint against whom such Judgment was given, to be removed from his office or employment in the said Register Office.

AND whereas great Difficulties have occasionally been experienced in the said Register Office, in abstracting and indexing Memorials, from a want of a sufficiently full description being inserted in the Memorial of the Place in which the Lands are situated, and it is fitting that in future Memorials such Omissions should not be left unsupplied; BE it therefore Enacted, That from the said Thirty-first day of December, in every Memorial of any Deed or Instrument dated after the Thirty-first day of December One thousand eight hundred and Thirty-one, brought into the said Office to be registered, there shall be specified the County and Barony, or the Town or County of a City and Parish, or the Town and Parish in which the Lands and every of them to be affected by registering such Memorial are by such Deed or Instrument stated to be situated; and where the Lands lie in two or more Counties or Baronies or Parishes or Streets, or partly in one Barony, Parish or Street, and partly in another, the same shall be distinctly stated in the Memorial from the Deed; and further, that where the Instrument to which the Memorial relates shall contain a Plan of the Lands, or of any part thereof, there may, if it be the pleasure of the Party requiring the Registration of the Memorial, be inserted in or be annexed on parchment to the Memorial of such Instrument to be registered, a Copy of such Plan; and moreover, that every Memorial, brought into the said Office to be registered, shall be there compared with the Instrument of which it purports to be a Memorial, and if the several particulars required by law to be in the Memorial shall be found to be truly stated from the Instrument, then the Memorial shall be registered, but not otherwise.

Memorial to state where the Lands affected thereby are situated.

CLAUSE (D.)
Number of Folios to be indorsed on each Memorial.

And be it further Enacted, That upon every Memorial brought into the said Office to be registered, there shall be indorsed the Number of Folios, each of Seventy-two Words, contained in such Memorial, which indorsement shall be signed by the Person bringing such Memorial to be registered; and if such indorsement shall be untrue, the Person subscribing the same shall forfeit Five Pounds, to be recovered by civil bill, by any Officer in the said Registry Office, who will sue for the same.

Office Copies of Memorials to be recovered in Evidence.

AND whereas it is convenient that Office Copies of the Memorials registered in the said Register Office should, under certain limitations, be received in Evidence; BE it therefore Enacted, That in all Proceedings

before any Court of Justice for all purposes whatsoever, an Office Copy of any Memorial registered in the said Office shall, upon such Office Copy being proved in like manner as an Office Copy of any other Record, be received and taken as evidence of the contents of the Memorial of which it purports to be an Office Copy, without the production of the original Memorial: Provided always, That the Party producing such Office Copy shall, if out of *Dublin* Ten Days, and if in *Dublin* Four Days, before producing the same, give Notice in writing to the adverse Party thereof; and provided also, That such adverse Party shall not, within Two Days after receiving such Notice, demand by a counter Notice that the original Memorial shall be produced; and in every case in which such counter Notice shall be given, the Costs of producing the original Memorial shall be paid by either Party, as the Court in which the proceeding shall take place, or the Taxing Officer of such Court, may determine.

Indexes to be prepared.

AND whereas the Indexes or Calendars of the said Register Office in former years are many of them in a dilapidated state, and some of the Indexes have been compiled upon an ineligible plan; and for the benefit of all Persons requiring to make Searches in the said Office in the years hitherto elapsed, it is very desirable that better and more complete Indexes and that Abstract Books should be prepared, of all Memorials registered in the said Office and to be registered therein, up to and including the said Thirty-first day of December One thousand eight hundred and Thirty-one; BE it therefore Enacted, That like Indexes and Abstract Books in respect of such last-mentioned Memorials as by this Act are required with regard to all Memorials to be registered after the said Thirty-first day of December shall, as far as the same may be practicable, be constructed, and in such manner that when the same shall be completed, the whole shall, with the Abstract Books and Indexes of Memorials registered after the said Thirty-first day of December, form entire and consecutive Sets of Abstracts and Indexes to all Memorials in the said Office, having each Set respectively constructed throughout upon the same plan.

Commissioners of the Treasury may advance Money for defraying the Expense of making Indexes.

AND for the more expeditiously forming of such Abstracts and Indexes of all Memorials which are and shall be registered in the said Office, up to and including the said Thirty-first day of December; BE it further Enacted, That it shall be lawful for the Lord High Treasurer, or Commissioners of His Majesty's Treasury, or any Three or more of them, from time to time to advance and issue out of the Consolidated Fund to the said Registrar, such sum and sums of Money as shall be necessary, not exceeding Ten Thousand Pounds, for defraying the Expenses of compiling, transcribing on parchment and completing such Abstracts and Indexes as last aforesaid; and moreover, that the said Lord

Lord High Treasurer or Lords of the Treasury aforesaid shall also be at liberty to order and direct the appropriation out of the Balances on the Accounts of the said Registrar in respect of the said Register Office, and before such Balances shall be paid over as hereinbefore directed, of such further sum and sums of Money as may appear to them to be requisite for effecting the aforesaid purpose.

AND whereas it is of importance to the Public that the Business of the said Register Office should be carried on with all possible order, punctuality and dispatch, and also that no greater Fees should be charged in the said Office than will amount annually to a sum of Money sufficient to discharge the current Expenses of the Establishment when efficiently appointed, and to leave a small Excess, wherewith the Advances from the Consolidated Fund, for the particular purpose hereinbefore authorized, may gradually be replaced; and the better to insure that these purposes shall be effected, it is expedient that the said Register Office should be placed under the Control of the Treasury; BE it therefore further Enacted, That it shall be lawful for the Lord High Treasurer, or Commissioners of His Majesty's Treasury, or any Three or more of them, from time to time, as to him or them shall appear needful, to regulate the said Register Office, and as well to determine what number of Persons shall be employed in discharging the duties to be performed therein, as what the Duty to be performed by each individual so employed shall be, and likewise to fix the respective amount of Salary to be paid to each individual for his services in the said Office; and further to dispense with the services of all or any one of the Individuals appointed by this Act, or hereafter to be employed in the said Register Office, or any part of such services, or to reduce the salary of any such individual, and in any of the said cases to make a reasonable compensation or annual allowance to such individual or individuals as the said Lord High Treasurer or Commissioners shall deem proper, and to direct the payment thereof out of the Fees of the said Office, or to authorize the Registrar, in cases approved of and limited by the said Lord High Treasurer or Commissioners, to make such advances; and moreover to order and direct all or any part of any Surplus of the Fees and Moneys received by the Registrar of the said Office to be laid out or expended in rendering the said Register Office more useful and convenient to the Public, and to reduce, alter or vary any of the Fees, regulations, orders or directions established, or at any time hereafter to be established, in the said Register Office, and to establish any other Fees, regulations, orders or directions: Provided always, That every Regulation, order or direction made or given by the Lord High Treasurer, or Commissioners aforesaid, under this Act, shall be forthwith laid before both Houses of Parliament, if Parliament shall be then sitting, and if Parliament shall not then be sitting, then within Fourteen Days after

Register Office to be placed under the Control of the Commissioners of the Treasury.

the next meeting of Parliament, and that the same shall not be carried into effect or become and be binding and conclusive until after the end of the Session in which the same shall be so laid before both Houses of Parliament; and also provided, That nothing herein contained shall be construed to authorize or empower the Lords Commissioners aforesaid to reduce the Salary of or to remove the Registrar from his said office, so long as he shall honestly and faithfully demean himself therein.

SCHEDULES.

Schedule (A.)

FEES to be taken in the PUBLIC REGISTER OFFICE in *Dublin*.

	£.	s.	d.
Upon every Memorial received into the Office, except the Memorial next mentioned, at the time of the delivery thereof to be registered :			
Where such Memorial shall contain not more than Seven folios, each of Seventy-two words - - - -	-	7	6
Above Seven, and not exceeding Fifteen folios - -	-	11	-
Above Fifteen, for every additional folio - - -	-	-	6
And for the Name of every Grantor beyond the first Grantor - - - -	-	-	3
For every separate denomination of Land which shall have to be separately entered in the Index - - - -	-	-	3
Upon every Memorial of a Civil Bill Decree - - -	-	2	6
Entering the Dissolution of an anonymous Partnership - -	-	5	-
Entering Certificate of satisfaction of a Mortgage - - -	-	5	-
From every Person making Searches in the Office, each Day -	-	1	-
From every Person taking Abstracts in the Office, each Day -	-	1	6
For every original Memorial or Affidavit produced for inspection in the Office - - - -	-	-	6
For common Searches made by the Office under a Request, upon Names, for any period not exceeding Ten years for each different Surname - - - -	-	2	6
For every additional year beyond Ten years - - - -	-	-	3
And upon Lands, the like Fees for each Denomination, or alias Denomination of Land, commencing with a different initial Letter.			
For every Copy of an Abstract of a Memorial contained in such Search - - - -	-	1	-
Making Certified or Negative Searches upon a Requisition, upon Names, for any period not exceeding Ten years, for each different Surname - - - -	-	5	-
For every additional year beyond Ten years - - - -	-	-	6
And upon Lands, the like Fees for each Denomination, or alias Denomination of Land, commencing with a different initial Letter			
Making an Office Copy of any Memorial or Certificate, not exceeding Three folios - - - -	-	1	6
And for every additional folio or part of a folio beyond Three folios - - - -	-	-	6
Attending to produce any Memorial in <i>Dublin</i> , each Day -	-	6	8
The like, out of <i>Dublin</i> - - - -	-	13	4
And for every Day beyond a second day - - - -	-	6	8
And for the Expenses of travelling to and from any Place at which such attendance shall be required, for every Mile -	-	1	-